Remarks

The Examiner's Office action mailed January 9, 2008 which rejected pending claims 1-11, 14-16, 19, and 20 has been reviewed. Claims 1, 2, 5, 7, 9-11, and 14-16 have been amended, claims 19 and 20 have been cancelled, and new claims 21-23 have been added. Accordingly, claims 1-11, 14-16, and 21-23 are now pending in the application. In view of the following remarks, Applicants respectfully submit that the application is in condition for allowance.

Claim Rejections Under 35 U.S.C. § 112

Claims 14-16 were rejected under the first paragraph of 35 U.S.C § 112 because the Examiner asserted that "memory" is not described in the specification as being statutory subject matter and that the instruction is not processed by a computer. (See Office action at page 2.) Claim 14 has been amended to recite, in part, "a module executable by a processing device." Accordingly, amended claims 14-16 are in compliance with the first paragraph of 35 U.S.C § 112.

Claim Rejections Under 35 U.S.C. § 101

Claims 14-16 were rejected under 35 U.S.C. § 101 as not being directed to statutory subject matter. For the reasons discussed above, Applicants submit that amended claims 14-16 are in compliance with 35 U.S.C. § 101.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-11, 14-16, 19, and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0098478 to Koetke et al. ("Koetke") in view of U.S. Patent Application Publication No. 2003/0041036 to Molinari et al. ("Molinari.") Applicants traverse this rejection, withdrawal of which is respectfully requested.

Applicants submit that even when combined as suggested by the Office, the Koetke and Molinari references fail to disclose, teach, or suggest all the features of Applicants' claimed invention. Thus, *prima facie* obviousness cannot be established. (See MPEP 2142 and 2143.) The following is claim 1 with underlined portions that are not disclosed, taught, or suggested by the cited references.

1. A system for electronic supply chain management and collaborative planning, including:
a plurality of hubs, remotely coupled to each other;
a set of information stored in a database coupled to each said hub, wherein said set of information is owned by business entities relatively proximate to each said hub;
a set of regional authorities controlling access to said set of information;
a first server coupled to at least one of said hubs, wherein said first server is dedicated to process a first message type for complex tasks;
a second server coupled to said at least one of said hubs, wherein said second server is dedicated to process a second message type for simple tasks; and
a computer program coupled to said at least one of said hubs to receive a message generated from a client device identifying a transaction, to determine whether said message is said first message type or said second message type based on said transaction, to send said message to said first server when said message is determined to be said first message type, and to send said message to said second server when said message is determined to be said second message type.

Since Koetke and Molinari, whether considered alone or in combination, do not disclose, teach, or suggest the five underlined elements in claim 1, the cited references do not render claim 1 unpatentable under 35 U.S.C. § 103(a).

The Examiner asserted that Koetke, as set forth in the previous Office action, discloses the invention substantially as claimed at paragraphs 0032, 0033, and 0158, but acknowledged that Koetke does not specifically disclose performing distinguished simple tasks and distinguished complex tasks. However, the Examiner cited Molinari at paragraph 0027 and 0048 as remedying the deficiencies of Koetke. (See Office action at page 3.) Applicants submit that even when combined as suggested by the Examiner, Koetke and Molinari fail to disclose, teach, or suggest the claimed invention.

Koetke fails to disclose, teach, or suggest a first server dedicated to process a first message type for complex tasks and a second server dedicated to process a second message type for simple tasks. The Examiner cited paragraphs 0012 and 0158 of Koetke as disclosing a server dedicated to performing simple tasks and a server dedicated to performing complex tasks. Paragraph 0012 of Koetke discloses that a client sends a request to a server, receives a response, and records the response received time. The round trip latency for the request/response time is calculated, and performance data for the request/response is incorporated into another request. As explained in the prior Response, paragraph 0158 of Koetke discloses a globally unique identifier, which is either a 2 byte or 16 byte identifier for a session. The terms "heavyweight"

and "lightweight" as used in Koetke merely describe the size of the identifier. Neither paragraph 0012 nor paragraph 0158 disclose a first server dedicated to process a first message type for complex tasks and a second server dedicated to process a second message type for simple tasks. As described in the present application, by segregating traffic according to whether processing is required, clients that have simple requests can obtain the information they need quickly because the request is not slowed down while more complex requests are completed. (See application page 2, paragraph 0017.)

Koetke fails to disclose, teach, or suggest a set of information stored in a database, wherein that the set of information is owned by business entities relatively proximate to each hub. The Examiner cited paragraph 0033 of Koetke as disclosing information stored on hubs that interact with client servers, peers or combinations thereof. Paragraph 0033 of Koetke discloses a network that includes several computers communicating with one another over a network, represented by a cloud, and the network may include routers, gateways, hubs, etc. However, the cited reference does not mention a database or a set of information stored in a database coupled to each hub and fails to disclose, teach, or suggest the claimed set of information is owned by business entities relatively proximate to each hub.

Koetke does not disclose a set of regional authorities controlling access to the set of information. As mentioned above, Koetke does not disclose the claimed set of information. Moreover, Koetke does not disclose a local hub and a regional authority architecture. Although Koetke describes a network that includes several computers, gateways, and hubs (see Koetke, figures 1 and 2 and paragraphs 0032-0033), Koetke does not disclose that the computers are configured in a regional authority or a local hub. Koetke does not even mention a local hub or a regional authority configuration. Koetke does not disclose that access to the set of information is controlled by a regional authority.

Koetke does not disclose a computer program coupled to at least one of the hubs to receive a message generated from a client device identifying a transaction, to determine whether the message is the first message type or the second message type based on the transaction, to send the message to the first server when the message is determined to be the first message type, and to send the message to the second server when the message is determined to be the second message type. In fact, the Examiner acknowledged that Koetke does not disclose performing distinguished simple tasks and distinguished complex tasks. However, the Examiner asserted

that Molinari teaches a system and method comprising a computer network for performing distinguished simple tasks and distinguished complex tasks at paragraphs 0027 and 0048. (See Office action at page 3.)

Molinari fails to teach the deficiencies of Koetke and fails to disclose, teach, or suggest a computer program for receiving a message generated from a client device identifying a transaction and determining whether the message is the first message type or the second message type based on the transaction, to send the message to the first server when the message is determined to be the first message type, and to send the message to the second server when the message is determined to be the second message type.

There are key distinctions between Molinari and the system as set forth in claim 1. First, Molinari discloses that the server creates and assigns one or more tasks to obtain relevant financial information about the financial instruments that fall within the plurality of investment strategies based on the investor profile information. (See Molinari, paragraph 0018.) Molinari does not disclose receiving a message generated from a client device identifying a transaction and determining whether the message is the first message type or the second message type based on the transaction.

Second, Molinari also specifies that all tasks require processing, and both simple and complex tasks are processed by the same server. ("A task 22 is a self-contained executable object that is executed on a distributed agent 24 to perform an operation for the server 14." Molinari, paragraph 0021. "Before an instance of a task 22 can be initialized and executed, it must be defined on the server 14 and assigned to a distributed agent 24." Molinari, paragraph 0030. See also paragraphs 27 and 48 and Figures 1 and 2.) While more than one distributed agent may exist in Molinari, all distributed agents are on the same server. Thus, Molinari teaches away from a "computer program . . . to send the message to the first server when the message is determined to be the first message type, and to send the message to the second server when the message is determined to be the second message type."

Accordingly it is submitted that Koetke and Molinari, whether considered alone or in combination, fail to disclose, teach, or suggest each and every element of claim 1. Thus, independent claim 1 is patentable over the combination of Koetke and Molinari.

Claims 9 and 14 are patentable over the combination of Koetke and Molinari under 35 U.S.C. § 103(a). The following is claim 9, which is also representative of corresponding

independent claim 14. The underlined portions are not disclosed, taught, or suggested by the cited references.

> 9. A method for processing transactions at a hub, said method including steps of:
> receiving messages from at least one client device at a software module of a local hub, said software module executable by a processing device;
> parsing each of said messages and determining a relative complexity of tasks associated with said messages;
> separating each of said messages into a first type of message or a second type of message based on the relative complexity of tasks associated with said messages, wherein said first type of message requires processing, and said second type of message does not require processing;
> sending said first type of message to a heavyweight server, wherein said first type of message is processed and transmitted from said heavyweight server; and
> sending said second type of message to a lightweight server, wherein said second type of message is transmitted from said lightweight server.

The remarks made above with respect to claim 1 and the disclosure of Koetke and Molinari similarly apply to claims 9 and 14. With respect to claims 9 and 14, Koetke and Molinari fail to disclose, teach, or suggest receiving messages from a client device at a local hub and separating each of the messages into a first type of message or a second type of message based on the relative complexity of tasks associated with the messages, wherein the first type of message requires processing, and the second type of message does not require processing. As mentioned above, the terms "heavyweight" and "lightweight" merely describe the size of the 2 byte or 16 byte globally unique identifier. Neither of the terms is used to describe systems such as the claimed servers. Therefore, Koetke and Molinari fail to disclose, teach, or suggest sending the first type of message to a heavyweight server, wherein the first type of message is processed and transmitted from the heavyweight server, and sending the second type of message to a lightweight server, wherein the second type of message is transmitted from the lightweight server. Again, there are key distinctions between the tasks described in Molinari and the claimed method.

Accordingly it is submitted that Koetke and Molinari, whether considered alone or in combination, fail to disclose, teach, or suggest each and every element of amended claims 9 and 14. Thus, independent claims 9 and 14 are patentable over the combination of Koetke and Molinari.

New claim 21 is patentable over the combination of Koetke and Molinari under 35 U.S.C. § 103(a). The following is claim 21 with underlined portions that are not disclosed, taught, or suggested by the cited references.

21. A system for electronic supply chain management and collaborative planning, including:
a plurality of local hubs, remotely coupled to each other, each of said plurality of local hubs including:
a heavyweight server to process a first type of message that requires complex processing;
a lightweight server to process a second type of message that does not require complex processing; and
a database to store supply chain information, wherein said supply chain information is owned by business entities relatively proximate to each said local hub;
a first regional authority corresponding to one of said plurality of local hubs for controlling access to said supply chain information in databases associated with a first group of said plurality of local hubs;
a second regional authority corresponding to another one of said plurality of local hubs for controlling access to said supply chain information in databases associated with a second group of said plurality of local hubs; and
a communication network to communicate between said first regional authority and said second regional authority, wherein said first regional authority requests instructions for obtaining data under control of said second regional authority.

As set forth above, Koetke fails to disclose, teach, or suggest a local hub or regional authority architecture. Koetke also fails to disclose, teach, or suggest each local hub includes a heavyweight server to process a first type of message that requires complex processing, and a lightweight server to process a second type of message that does not require complex processing. Molinari fails to disclose this deficiency.

Also, as set forth similarly above, Koetke and Molinari fail to disclose, teach, or suggest a database to store supply chain information, wherein the supply chain information is owned by business entities relatively proximate to each local hub.

Moreover, Koetke and Molinari, whether considered alone or in combination, fail to disclose, teach, or suggest a first regional authority corresponding to one of the plurality of local hubs for controlling access to the supply chain information in databases associated with a first group of the plurality of local hubs, and a second regional authority corresponding to another one of the plurality of local hubs for controlling access to the supply chain information in databases

associated with a second group of the plurality of local hubs. As described in the present application, regional authorities control access to data by identifying a local hub that owns that data. In this context, ownership of the data means that the owner has write access to the data. The authority to assign write access to the data rests with the regional authority. Regional authorities partition the set of all data maintained by the supply chain management system such that a regional authority has authority over a distinct subset of that data. Regional authorities coordinate with each other so that each particular regional authority can obtain instructions for data not belonging to that particular regional authority. (See application page 1, paragraph 0010.) Although Koetke describes a network that includes several computers (see Koetke, figures 1 and 2 and paragraphs 0032-0033), Koetke does not disclose that the computers are configured in a regional authority or a local hub. Koetke certainly does not specify that a regional authority controls access to supply chain information in databases associated with a group of associated local hubs, and the Examiner has not identified a portion of Koetke as disclosing this claim element.

Accordingly it is submitted that Koetke and Molinari, whether considered alone or in combination, fail to disclose, teach, or suggest each and every element of claim 21. Thus, new independent claim 21 is patentable over the combination of Koetke and Molinari.

New claim 23 is patentable over the combination of Koetke and Molinari under 35 U.S.C. § 103(a). The following is claim 23 with underlined portions that are not disclosed, taught, or suggested by the cited references.

23. A system for electronic supply chain management and collaborative planning, including:

a plurality of local hubs, remotely coupled to each other via a communication network and each including:

a database to store a set of information, wherein said set of information is owned by business entities relatively proximate to each said hub;

a first server to process a first message type for complex tasks using said set of information;

a second server to process a second message type for simple tasks; and

a computer program executable by at least one of said first and second servers in response to a message from a client device identifying a transaction, to determine whether said message is said first message type or said second message type based on said transaction, to send said message to said first server when said message is determined to be said first message type, and to send said message to said second server when said message is determined to be said second message type.

As set forth above, Koetke fails to disclose, teach, or suggest a database to store a set of information, wherein the set of information is owned by business entities relatively proximate to each hub. Further, Koetke fails to disclose, teach, or suggest a first server to process a first message type for complex tasks using the claimed set of information and a second server to process a second message type for simple tasks. Koetke does not disclose the local hub architecture. Again, although Koetke describes a network that includes several computers (see Koetke, figures 1 and 2 and paragraphs 0032-0033), Koetke does not disclose that the computers are configured in a plurality of local hubs.

Moreover, as set forth above, Molinari fails to teach the deficiencies of Koetke. Neither Koetke nor Molinari, alone or in combination, disclose, teach, or suggest a computer program executable by at least one of the first and second servers in response to a message from a client device identifying a transaction to determine whether the message is the first message type or the second message type based on the transaction, to send the message to the first server when the message is determined to be the first message type, and to send the message to the second server when the message is determined to be the second message type.

Conclusion

Claims 1, 9, 14, 21, and 23 are patentable for reasons identified above, and withdrawal of the rejections of those claims is requested. Since the claims depending directly or indirectly therefrom include all of the limitations of the respective base claims, which are believed patentable, these claims also are believed to be allowable. Withdrawal of the rejections of those claims also is requested.

Because the independent claims are believed patentable, it is not necessary to discuss patentable limitations of claims depending therefrom, the references, or the rejections. The lack of a discussion of patentable limitations of those dependent claims should not be construed to mean that there are not patentable limitations in those dependent claims.

All reasons for patentability of the independent and dependent claims have not necessarily been discussed herein. No implication or construction should be made therefore. Applicants have no further remarks with regard to any references cited by the Examiner and made of record, whether or not acted upon by the Examiner in the action's rejections, even if specifically identified in the action or any other paper or written or verbal communication. No

implication or construction should be drawn about any review of the same by Applicants or Applicants' attorney.

Based on the foregoing, it is submitted that the Applicants' claims 1-11, 14-16, and 21-23 are patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicants' attorney welcomes the opportunity to discuss the case with the Examiner in the event there are any questions or comments regarding the response or the application.

This is intended to be a complete response to the Examiner's Office action mailed on January 9, 2008.

Respectfully submitted,

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